

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

FONTANIA LAWRENCE,)	
)	
Plaintiff,)	
)	
vs.)	Case No. _____
)	
FAIRFIELD PROCESSING)	St. Louis City Circuit Court
CORPORATION,)	Cause No. 2022-CC10591
)	
and)	
)	
VENTURE EXPRESS, LLC,)	
)	
Defendants.)	

NOTICE OF REMOVAL

COMES NOW Defendant Fairfield Processing Corporation ("Defendant Fairfield"), by and through counsel, and for its Notice of Removal, states the following:

1. On December 21, 2020, Plaintiff filed an original Petition in the Circuit Court of the City of St. Louis, State of Missouri, Cause No. 2022-CC10591, against Defendant Fairfield and Defendant Venture Express, Inc. *See Petition attached to State Court Pleadings, Exhibit A.*

2. Plaintiff is a resident and citizen of the State of Missouri. *See Petition and First Amended Petition attached to State Court Pleadings, Exhibit A.*

3. At the time of the commencement of said action and ever since, Defendant Fairfield has been and still is a foreign corporation, existing under the laws of the State of Connecticut with its principal place of business in the State of Connecticut, not having its chief and principal office and place of business in the State of Missouri, and is not a citizen or resident of the State of Missouri. *See Petition and First Amended Petition attached to State Court Pleadings, Exhibit A.*

4. At the time of the commencement of said action and ever since, Defendant Venture Express, Inc. has been and still is a foreign corporation, existing under the laws of the State of Tennessee with its principal place of business in the State of Tennessee, not having its chief and principal office and place of business in the State of Missouri, and is not a citizen or resident of the State of Missouri. *See Petition attached to State Court Pleadings, Exhibit A.*

5. On March 10, 2021, Plaintiff filed a First Amended Petition against Defendant Fairfield and Defendant Venture Express, LLC. *See First Amended Petition attached to State Court Pleadings, Exhibit A.*

6. At the time of the commencement of said action and ever since, Defendant Venture Express, LLC (“Defendant Venture”) has been and still is a foreign corporation, existing under the laws of the State of Kansas with its principal place of business in the State of Kansas, not having its chief and principal office and place of business in the State of Missouri, and is not a citizen or resident of the State of Missouri. *See First Amended Petition attached to State Court Pleadings, Exhibit A.*

7. On April 27, 2021, Defendant Venture was served with the First Amended Petition. *See Affidavit of Service attached to State Court Pleadings, Exhibit A.*

8. Plaintiff alleges damages of past medical expenses, permanent and disabling injuries, permanent and disabling injuries in the future, past lost wages, future medical expenses, future medical treatment, surgical intervention, future lost wages, scarring, and disfigurement. *See Petition and First Amended Petition attached to State Court Pleadings, Exhibit A.*

9. Plaintiff’s claim for damages exceeds the statutory minimum requirement of \$75,000.00 for diversity jurisdiction as evidenced by the attached e-mail from Plaintiff’s counsel, in which he alleges Plaintiff has past medical expenses in excess of \$75,000. *See 12/13/21 E-Mail from Plaintiff’s Counsel, Exhibit B.*

10. This Notice of Removal has been timely filed within one year pursuant to 28 U.S.C. §1446.

11. Because complete diversity of citizenship exists between Plaintiff and Defendants, and because the amount in controversy in this action exceeds the sum of \$75,000, removal to this Court is proper pursuant to 28 U.S.C. §1332 and 28 U.S.C. §1446.

12. Furthermore, venue is proper in the Eastern Division of this Court as the alleged injury from which Plaintiff claims arises is alleged to have occurred in the City of St. Louis, Missouri, as evidenced in paragraph 6 of Plaintiff's First Amended Petition.

13. Promptly after filing this Notice of Removal, Defendant Fairfield gave written notice thereof to the attorney for Plaintiff, as did the Clerk of the Court of the City of St. Louis, Missouri, as provided both with copies of this Notice of Removal.

14. All pleadings and papers which have been filed in the state court action are attached to this Notice of Removal as Exhibit A.

WHEREFORE, Defendant Fairfield Processing Corporation requests the above-referenced state court action be removed from the Circuit Court of the City of St. Louis, to this honorable Court, and that this honorable Court accept jurisdiction of the case, and for any other relief this Court deems just and proper.

BROWN & JAMES, P.C.

/s/ John A. Mazzei

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Attorneys for Defendant

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CERTIFICATE OF SERVICE

I hereby certify that on this 15th day of December, 2021, the foregoing was electronically filed using the Missouri eFiling system, which will send notice of electronic filing to all registered attorneys of record. I further certify that pursuant to Rule 55.03(a), I signed the original of the foregoing and that the original signed copy is maintained at our office.

/s/ John A. Mazzei

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